

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ONICA COX,	:	
Plaintiff,	:	
	:	
v.	:	CIVIL ACTION NO. 21-CV-5166
	:	
UNITED PARCEL SERVICE, INC.	:	
Defendant.	:	

ORDER

AND NOW, this 12th day of January 2022, upon consideration of Plaintiff Onica Cox's Motion to Proceed *In Forma Pauperis* (ECF No. 1) and Complaint (ECF No. 2), it is

ORDERED that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. The Complaint is **DEEMED** filed.
3. For the reasons stated in the Court's Memorandum, the following claims in Cox's Complaint are **DISMISSED WITHOUT PREJUDICE** for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii):
 - a. All claims under the The Genetic Information Nondiscrimination Act ("GINA"), and
 - b. All claims under the Equal Pay Act.
4. The Clerk of Court is **DIRECTED** to send Cox a blank copy of this Court's current standard form to be used by a self-represented litigant filing an employment

discrimination action bearing the above-captioned civil action number. Cox may use this form to file her amended complaint if she chooses to do so.¹

5. Cox is given thirty (30) days from the date of this Order to file an amended complaint in the event she can allege additional facts to state plausible claims under GINA and the Equal Pay Act. Any amended complaint must identify the defendant in the caption of the amended complaint in addition to identifying it in the body of the amended complaint, shall state the basis for Cox's claims, and shall bear the title "Amended Complaint" and case number 21-5166. **If Cox files an amended complaint, her amended complaint must be a complete document that includes all the bases for her claims, including claims that the Court has determine pass statutory screening if she seeks to proceed on those claims.** Claims that are not included in the amended complaint will **not** be considered part of this case. When drafting her amended complaint, Cox should be mindful of the Court's reasons for dismissing the claims in her initial Complaint as explained in the Court's Memorandum. Upon the filing of an amended complaint, the Clerk shall not make service until so **ORDERED** by the Court.

6. If Cox does not file an amended complaint the Court will direct service of her initial Complaint on United Parcel Service, Inc. for a responsive pleading on her claims under Title VII, the ADA and the ADEA only. Cox may also notify the Court that she seeks to proceed on these claims rather than file an amended complaint. If she files such a notice, Cox is reminded to include the case number for this case, 21-5166.

¹ This form is available on the Court's website at <http://www.paed.uscourts.gov/documents2/forms/forms-pro-se>.

7. The time to serve process under Federal Rule of Civil Procedure 4(m) is **EXTENDED** to the date 90 days after the Court issues summonses in this case if summonses are issued.

BY THE COURT:

/s/ John Milton Younge

JOHN M. YOUNGE, J.